

Notice of Allowability

Application No.

10/666,683

Examiner

Tamiko D. Bellamy

Applicant(s)

STEWART, ROBERT E.

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/18/03.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 18 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 9/18/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance:

Re to claims 1 and 10, the independent claim includes "location of the hinge component cause an alignment of the pendulous axis to be substantially parallel with the drive direction of the drive component " in combination with the remaining claim limitation is not taught and/or made obvious by the prior art. Stewart et al. discloses a drive component (e.g., dither mass/vibrating structure 93), a pendulous sensor (e.g., pendulum/sensing element 87), and a hinge (e.g., flexure 89). As depicted in fig. 4 the drive component (e.g. dither mass 93) and the pendulous sensor (e.g. pendulum/ sensing element 87) are coupled with the hinge component (e.g. flexure 89). Stewart et al. discloses that the drive component (e.g., dither mass 93) vibrates along a misaligned direction (109); and the pendulum sensor (e.g., pendulum/ sensing element 87) causes motion about the hinge rotation axis (e.g. flexure rotation axis 89) (col. 3 lines 15-31). Stewart et al. does not teach that the location of the hinge component cause an alignment of the pendulous axis to be substantially parallel with the drive direction of the drive component.

Re to claim 16, the independent claim includes "aligning a pendulous axis, that intersects a center of mass of a pendulous sensor component and a rotation axis of a hinge component, with a drive axis through the employment of the deep reactive ion process" in combination with the remaining claim limitation is not taught and/or made obvious by

the prior art. Stewart et al. discloses a drive component (e.g., dither mass/vibrating structure 93), a pendulous sensor (e.g., pendulum/sensing element 87), and a hinge (e.g., flexure 89). As depicted in fig. 4 the drive component (e.g. dither mass 93) and the pendulous sensor (e.g. pendulum/ sensing element 87) are coupled with the hinge component (e.g. flexure 89). Stewart et al. discloses that the drive component (e.g., dither mass 93) vibrates along a misaligned direction (109); and the pendulum sensor (e.g., pendulum/ sensing element 87) causes motion about the hinge rotation axis (e.g. flexure rotation axis 89) (col. 3 lines 15-31). Stewart et al. does not teach that the location of the hinge component cause an alignment of the pendulous axis to be substantially parallel with the drive direction of the drive component.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko D. Bellamy whose telephone number is (571) 272-2190. The examiner can normally be reached on Monday - Friday 6:30 AM to 12:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tamiko Bellamy

T.B.

October 16, 2004


HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800